

CONTINUING PATENT APPLICATION TRANSMITTAL
(for Continuing Applications under 37 C.F.R. §1.53(b))

Attorney Docket No. 215064-00070

First Named Inventor or
Application Identifier: Joseph Podolski

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request under 37 C.F.R. §1.53(b) for
filing a:

- (x) Continuation application,
() Divisional application,
() Continuation-in-Part application,

) CERTIFICATE OF MAILING BY "EXPRESS MAIL"

) "Express Mail" Mailing Label Number

) EV 162112027 US

) Date of Deposit July 3, 2003

) I hereby certify that this paper or fee is being deposited
) with the United States Postal Service "Express Mail Post
) Office to Addressee" Service under 37 CFR §1.10 on the
) date indicated above and is addressed: Mail Stop PATENT
) APPLICATION; Commissioner for Patents, P.O. Box
) 1450, Alexandria, VA 22313-1450

) Theresa A. Barnstable
) (Typed or printed name of person mailing)

) Theresa A. Barnstable
) (Signature of person mailing)

21910 U.S. PTO

10/613788



1. (x) Enclosed is a patent application (for **continuation**, **divisional**, or **continuation-in-part applications**) containing:
11 pages of the specification (including claims).
0 sheets of drawings () Formal () Informal.
2. (x) A copy of the executed oath or declaration filed in the prior nonprovisional application is enclosed.
3. **Inventorship:**
() A newly-executed oath or declaration and power of attorney is enclosed (for *continuation-in-part applications*, or for *continuation or divisional applications naming an inventor not named in the prior application*) (§1.63(a), (d)(5), and (e)).
() Because this application is being filed by fewer than all of the inventors named in the prior application, delete the following inventor(s) named in the prior nonprovisional application (37 C.F.R. §1.63(d)(1)(2)):

() The names of persons believed to be the actual inventors are set forth in the enclosed unexecuted oath or declaration and power of attorney (§1.41(a) and §1.53(b)).
4. () Assignment(s) of the invention to _____, and cover sheet are enclosed.
() A check in the amount of \$ _____ to cover the fee for recording the assignment(s) is enclosed.

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5. (x) The prior application is assigned of record to
Enteron Pharmaceuticals, Inc.
Reel 011584 and Frame 0434
Reel 011721 and Frame 0519
6. () A 37 C.F.R. §3.73(b) statement is enclosed (*where an assignee seeks to take action in a matter before the Patent Office*).
7. () A preliminary amendment is enclosed.
8. **Drawings**
() Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (*May be used only if signed by person authorized by §1.138 and before payment of base issue fee.*)
() New formal drawings are enclosed.
() Informal drawings are enclosed.
9. (X) A separate written request under 37 C.F.R. §1.136(a)(3), which is a general authorization to treat any concurrent or future reply requiring a petition for an extension of time under 37 C.F.R. §1.136(a) for its timely submission as incorporating a petition for an extension of time for the appropriate length of time, is enclosed.
10. (x) An Information Disclosure Statement and PTO 1449 as submitted in parent application nos. 09/753,814, without the references as they are within the file of application no. 09/753,814.
11. () A MicroFiche Computer Program (Appendix) is enclosed.
12. (x) A Return Receipt Postcard is enclosed (MPEP §503).

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13. ☐ A Nucleotide and/or Amino Acid Sequence Submission is enclosed.
- ☐ A Computer Readable Copy is enclosed.
- ☐ A Paper Copy (*identical to computer copy*) is enclosed.
- ☐ A Statement Verifying Identity of above copies is enclosed.
14. ☐ Priority of application number _____ filed on _____
in _____ is claimed under 35 U.S.C. §120.
- ☒ Priority of application number 60/233,194 filed on September 15, 2000
in United States is claimed under 35 U.S.C. §119.
- ☐ The certified copy of the priority document has been filed in prior application
number ____ / _____, filed _____.
- ☐ A certified copy of the priority document is enclosed.
15. **Power of Attorney**
- ☒ The Power of Attorney in the prior application is to:
- ☒ David W. Clough, Ph.D. Reg. No. 36,107,
KATTEN MUCHIN ZAVIS ROSENMAN
525 West Monroe Street, Suite 1600
Chicago, Illinois 60661-3693
and other members of the firm.
- ☒ Customer Number 27160.
- ☒ The power appears in the original papers in the prior application.
- ☐ Since the power does **not** appear in the original papers in the prior application, a
copy of the power in the prior application is enclosed.

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16. Filing Fee Calculation (37 C.F.R. §1.16)

(x) Utility Application

CLAIMS AS FILED – INCLUDING PRELIMINARY AMENDMENT (IF ANY)						
			SMALL ENTITY		LARGE ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$375.00		\$750.00
TOTAL (No. of claims – 20=)	18	0	X \$9.00	–	X \$18.00	
INDEP. (No. of claims – 3=)	1	0	X \$42.00	-	X \$84.00	
Assumed no multiple dependent claims – <input type="checkbox"/> First Presentation of Multiple Dependent Claim			+ \$140.00	-	+ \$280.00	
Filing Fee =				\$375.00	\$	

19. Other Fees

- () Recording Assignment [Fee – \$40.00 per assignment] \$ _____
- () Petition fee for filing by other than all the inventors or person on behalf of the inventor where refused to sign or cannot be reached [Fee – \$130.00] \$ _____
- () Other – _____ \$ _____

Total Fees Enclosed \$ 375.00

20. Method of Payment of Fees

- (X) Enclosed is our firm check in the amount of: \$ 375.00
- () Charge \$ _____ to Deposit Account No. 50-1214.

21. (X) The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 50-1214. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized

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to charge the unpaid amount to Deposit Account No. 50-1214. This sheet is filed in duplicate.

Please direct all future communications to:

KATTEN MUCHIN ZAVIS ROSENMAN

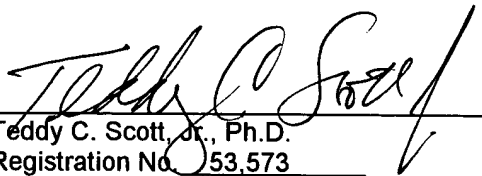
Attention: Patent Administrator
525 West Monroe Street, Suite 1600
Chicago, Illinois 60661-3693
(312) 902-5200

Respectfully Submitted,

July 3, 2003
(Date)

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By:


Teddy C. Scott, Jr., Ph.D.
Registration No. 53,573